

MEMORANDUM

Date: December 14, 2023
To: Transfer 88603
From: Jake Nebeker
Re: Review & Evaluation of Sufficiency of Information

The purpose of this transfer is to change the point of diversion for water rights 75-13948 and 75-13950.

Authority to File:

The applicant is the water right owner of record. Lemhi County tax lot data shows the applicant as the owner of the location of the proposed point of diversion. The applicant has authority to make the change.

Water Right Validity:

The water rights included in this transfer were decreed in the SRBA in 2010. Review of 2011, 2013, 2015, 2017, 2019, 2021 aerial photography shows growing vegetation at the place of use. Forfeiture does not appear to be an issue.

Injury to Other Water Rights:

Other rights do not appear to be injured by the proposed change. The source is Wallace Creek, even though the water is diverted from the Salmon River. There are no diversions between the current point of diversion and the confluence with the Salmon River. The transfer was advertised without protest. The water master was contacted and did not provide a comment.

Enlargement of Use:

The transfer proposes to move the point of diversion to a larger water source, near the confluence of Wallace Creek and the Salmon River. Based on water right records and water delivery records for Water District 75E, water rights 75-13948 and 75-13950 are some of the most senior rights on Wallace Creek and are always deliverable, even in drought years. Conditions have been added to this transfer that limit the diversion of water at the proposed point of diversion to times when water is available and in priority at the original point of diversion. The authorized diversion rate will not increase as a result of this transfer.

Local Public interest:

No issues identified.

Beneficial Use/Conservation of Water Resources:

No issues identified.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.